UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/998,914	11/30/2001	Richard P. Sinn	OBLX-01039US0	4276

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EXAMINER
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2131	

DATE MAILED: 07/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>11 March 2002</u>.

2a)☐ This action is **FINAL**.　　2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-39</u> is/are pending in the application.

　　4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-39</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>30 November 2001</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

　　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

　　Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

　　a)☐ All　b)☐ Some * c)☐ None of:

　　　1.☐ Certified copies of the priority documents have been received.

　　　2.☐ Certified copies of the priority documents have been received in Application No. _____.

　　　3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
　　　　application from the International Bureau (PCT Rule 17.2(a)).

　　* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>2/28/02; 3/15/04</u>.

4)☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1.   Claims 1-39 have been presented for examination.

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

3.   Claims 1-6, 8, 9, 11-16, 19-25, 27-31, and 33-39 are rejected under 35 U.S.C. 103(a) as

being unpatentable over U.S. Patent Application Publication No. 2002/0053023 to Patterson et

al., hereinafter Patterson, in view of U.S. Patent No. 6,044,462 to Zubeldia et al., hereinafter

Zubeldia.

4.   As per claims 1, 20, and 34, Patterson discloses a method comprising the steps of:

(a) retrieving real time status for a certificate (Figure 7 [step S6], page 4, paragraph

[0058], i.e. "The public repository **64** will in due course, return an identification of the validity of

the certificate using, for example, a protocol such as the Online Certificate Status Protocol");

(b) storing said real time status (Figure 7 [step S7]; page 4, paragraph [0059], i.e. "on

receipt of the certificate validity information, this is stored in the user cache **86** for the intended

recipient"); and

(c) storing validation information for said certificate, wherein said validation information

includes an identifier of a time said real time status was retrieved (Figures 5-7 [step S7], page 3,

paragraphs [0051]-[0052], page 4, paragraph [0059], i.e. "the user cache **86** includes, for

certificates that have already been checked, the sender identity associated with the certificate, the

certificate as extracted from a previously received message and as verified with the public

repository, the result of verifying the validation with the repository, and the time and date of the

validation of the certificate. The result of such a check of certificate status will typically be one

of 'valid,' 'revoked,' or 'unknown.'" "on receipt of the certificate validity information, this is

stored in the user cache **86** for the intended recipient").

5.   Patterson does not disclose a validation interval for said real time status.

6.   Zubeldia teaches a validation interval for said real time status (column 2, lines 11-19).

7.   It would have been obvious to one of ordinary skill in the art at the time the invention

was made to include storing a validation interval for the status of the certificate, since Zubeldia

states in columns 1 and 2 that all certificates have a period of validity, such a modification as

storing a validation interval for the status of the certificate would alert the client that the

certificate has expired and therefore invalid, and any communication with the user that the

certificate was linked to would be insecure.

8.   Regarding claims 2, 19, 21, and 33, Patterson teaches wherein said step (c) includes the

step of:

        (1) setting said validation interval to zero when said real time status retrieved in said step

(a) is not valid (Figures 5-7 [step S7], page 3, paragraphs [0051]-[0052], page 4, paragraph

[0059], i.e. "The result of such a check of certificate status will typically be one of 'valid,'

'revoked,' or 'unknown.'").

9.   Regarding claims 3, 4, 22, 23, and 35, Patterson discloses the steps of:

(d) receiving a request to export said certificate (Figures 7 [steps S1, S2], 8a [step S10],

8b [steps s11, s12], pages 3-4, paragraphs [0055]-[0060]);

(e) checking a status for said certificate at a check time (Figure 7 [step S6], page 4,

paragraph [0058], i.e. "The public repository **64** will in due course, return an identification of the

validity of the certificate using, for example, a protocol such as the Online Certificate Status

Protocol"),wherein said step (e) includes the step of:

(1) determining whether said check time falls within a time period, wherein said time

period begins at said time said real time status was retrieved and extends for said validation

interval (page 4, paragraph [0062], i.e. checking the expiry time); and

(f) providing a response to said request to export said certificate (Figures 7 [steps S8, S9],

8a [step S10], 8b [steps s11, s12], page 4, paragraphs [0060], [0064]-[0067]).

10.   Concerning claims 5, 24, and 36, Patterson teaches wherein said step (e)(1) includes the

step of:

(i) accessing said identifier and said validation interval stored in said step (c) (figure 7

[step S6], page 4, paragraph [0058]).

11.   Concerning claims 6, 25, and 37, Patterson teaches wherein said step (f) includes the step

of:

(1) exporting said certificate, if said check time falls within said time period (page 4,

paragraph [0062], i.e. checking the expiry time).

12.   Concerning claim 8, Patterson teaches the step of:

       (g) determining whether to check status for said certificate in real time (Figure 7 [step

S7], page 4, paragraph [0058]),

       wherein said step (e)(1) is only performed if it is determined in said step (g) not to check

status for said certificate in real time (page 4, paragraph [0062]),

       wherein said step (e) further includes the step of:

       (2) retrieving a new real time status for said certificate, if it is determined in said step (g)

to check status for said certificate in real time (page 4, paragraph [0063]).

13.   Concerning claim 9, Patterson teaches wherein said step (f) includes the step of:

       (3) exporting said certificate, if said new real time status is retrieved for said certificate in

said step (e)(2) and said new real time status indicates said certificate is valid (Figures 7 [steps

S8, S9], 8a [step S10], 8b [steps s11, s12], page 4, paragraphs [0060], [0064]-[0067]).

14.   Regarding claims 11, 12, 27, 28, and 38, Patterson discloses the steps of:

       (h) receiving a request to display information from said certificate (figure 7 [steps S1, S2,

S3], page 4, paragraph [0064]);

       (j) retrieving a status for said certificate, wherein said step (j) is performed after said step

(a) and said step (b) and said status retrieved in said step (j) is said real time status stored in said

step (b) (page 4, paragraph [0058]); and

       (k) displaying said information from said certificate and said status (Figures 8a, 11, page

4, paragraphs [0064]-[0067]).

15.   With regards to claim 13, Patterson discloses wherein said step (j) includes the steps of:

(1) determining whether to check status for said certificate in real time (page 4, paragraph [0058]);

(2) retrieving a new real time status for said certificate to serve as said status, if it is determined to check status in real time in said step (j)(1) (page 4, paragraph [0058]); and

(3) retrieving said real time status stored in said step (b) to serve as said status, if it is determined not to check status in real time in said step (j)(1) (pages 3-4, paragraph [0057]).

16.   As per claims 14, 29, and 39, Patterson discloses a method comprising the steps of:

(a) storing a real time status for a certificate (Figure 7 [step S7], page 4, paragraph [0059], i.e. "on receipt of the certificate validity information, this is stored in the user cache **86** for the intended recipient");

(b) storing validation information for said certificate, wherein said validation information includes an identifier of a status time (Figures 5-7 [step S7], page 3, paragraphs [0051]-[0052], page 4, paragraph [0059], i.e. "the user cache **86** includes, for certificates that have already been checked, the sender identity associated with the certificate, the certificate as extracted from a previously received message and as verified with the public repository, the result of verifying the validation with the repository, and the time and date of the validation of the certificate. The result of such a check of certificate status will typically be one of 'valid,' 'revoked,' or 'unknown.'" "on receipt of the certificate validity information, this is stored in the user cache **86** for the intended recipient");

(c) receiving a request related to said certificate (page 4 [paragraph 0063], i.e. validating

certificate on receipt of order, validate at the time a credit card account is given); and

(d) employing said validation information to check a status for said certificate in response

to said request (page 4 [paragraph 0063], i.e. validating certificate on receipt of order, validate at

the time a credit card account is given).

17.   Patterson does not disclose a validation interval for said real time status.

18.   Zubeldia teaches a validation interval for said real time status (column 2, lines 11-19).

19.   It would have been obvious to one of ordinary skill in the art at the time the invention

was made to include storing a validation interval for the status of the certificate, since Zubeldia

states in columns 1 and 2 that all certificates have a period of validity, such a modification as

storing a validation interval for the status of the certificate would alert the client that the

certificate has expired and therefore invalid, and any communication with the user that the

certificate was linked to would be insecure.

20.   Regarding claims 15 and 30, Patterson teaches wherein said step (d) is performed at a

check time and includes the step of:

(1) determining whether said check time falls within a time period, wherein said time

period begins at said status time and extends for said validation interval (page 4, paragraph

[0062], i.e. checking the expiry time).

21.   With regards to claims 16 and 31, Patterson discloses wherein said request calls for

exporting said certificate (Figures 7 [steps S8, S9], 8a [step S10], 8b [steps s11, s12], page 4,

paragraphs [0060], [0064]-[0067]).

22.   Claims 7, 10, 17, 18, 26 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Patterson in view of Zubeldia as applied above, and further in view of U.S. Patent

Application Publication No. 2003/0110376 to Wiener et al., hereinafter Wiener.

23.   Concerning claims 7 and 26, Patterson and Zubeldia do not teach issuing an error

message, if said check time does not fall within said time period.

24.   Wiener discloses wherein said step (f) includes the step of:

        (2) issuing an error message, if said check time does not fall within said time period

(page 4, paragraph [0030]).

25.   It would have been obvious to one of ordinary skill in the art at the time the invention

was made to issue an error message, since Wiener discloses at page 4, paragraph [0030] that such

a modification would alert a client that the certificate has expired and therefore needs to be

updated.

26.   Concerning claim 10, Patterson and Zubeldia do not teach issuing an error message, if

said new real time status is retrieved for said certificate in said step (e)(2) and said new real time

status indicates said certificate is not valid.

27.   Wiener discloses wherein said step (f) includes the step of:

(4) issuing an error message, if said new real time status is retrieved for said certificate in said step (e)(2) and said new real time status indicates said certificate is not valid (page 4, paragraph [0030]).

28.   It would have been obvious to one of ordinary skill in the art at the time the invention was made to issue an error message, since Wiener discloses at page 4, paragraph [0030] that such a modification would alert a client that the certificate has expired and therefore needs to be updated.

29.   Concerning claims 17, 18, and 32, Patterson teaches the step of:

(e) providing a response to said request to export said certificate (Figures 7 [steps S8, S9], 8a [step S10], 8b [steps s11, s12], page 4, paragraphs [0060], [0064]-[0067]), wherein said step (e) includes the step of:

(1) exporting said certificate, if said check time falls within said time period (page 4, paragraph [0062]).

30.   Patterson and Zubeldia do not disclose issuing an error message, if said check time does not fall within said time period.

31.   Wiener teaches the step of (2) issuing an error message, if said check time does not fall within said time period (page 4, paragraph [0030]).

32.   It would have been obvious to one of ordinary skill in the art at the time the invention was made to issue an error message, since Wiener discloses at page 4, paragraph [0030] that such a modification would alert a client that the certificate has expired and therefore needs to be updated.

Conclusion

33.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

34.   The following patents are cited to further show the state of the art with respect to checking the validity of certificates, such as:

United States Patent Application Publication No. 2002/0099822 to Rubin et al., which is cited to show distributing digital certificate revocation state information.

United States Patent No. 6,842,863 to Fox et al., which is cited to show checking the status of a certificate in financial transactions.

United States Patent No. 6,745,327 to Messing, which is cited to show an electronic certificate signature program for creating electronic signatures for documents, filings, and commercial transactions effectuated over the Internet.

United States Patent No. 5,903,882 to Asay et al., which is cited to show managing reliance in an electronic transaction system using a certificate authority.

United States Patent No. 6,216,231 to Stubblebine, which is cited to show imposing freshness constraints to digital certificates.

United States Patent Application Publication No. 2001/0002485 to Bisbee et al., which is cited to show retrieval of authenticated electronic documents using digital certificates with respect to their validity interval.

35.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christian La Forgia whose telephone number is (571) 272-3792. The examiner can normally be reached on Monday thru Thursday 7-5.

36.   If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Ayaz Sheikh can be reached on (571) 272-3795. The fax phone number for the

organization where this application or proceeding is assigned is 703-872-9306.

37.   Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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